



1631  
A26  
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JAN 27 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub  
Application No.: 09/525,142 Group: 1631  
Filed: March 14, 2000 Examiner: S. Zhou  
Confirmation No.: 8330  
For: Methods and Apparatus for Analyzing Gene Expression Data

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on 1/20/03 Annie Demirel

Date

Signature

Annie Demirel  
Typed or printed name of person signing certificate

REQUEST FOR CORRECTION/AMENDMENT OF INVENTORSHIP

UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Applicants request that the inventorship be corrected and the above-captioned application, including page 1 of the specification, be amended to add Donna K. Slonim as an inventor. With such amendment, Pablo Tamayo, Jill P. Mesirov, Eric S. Lander, Todd R. Golub and Donna K. Slonim are the joint inventors of the subject application.

Enclosed herewith are the following documents: Statement under 37 CFR §1.48(a)(2) by Donna K. Slonim; an executed Declaration by the actual inventors as required by §1.63; Written Consent of the Assignee (Whitehead Institute for Biomedical Research) to the inventorship change with Statement under §3.73(b); Written Consent of the Assignee (Dana-Farber Cancer

Institute, Inc.) to the inventorship change with Statement under §3.73(b); and a check in the amount of \$130 in payment of the processing fee as set forth in §1.17(i).

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Antoinette G. Giuglano  
Antoinette G. Giuglano  
Registration No.: 42,582  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 1/20/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.: 09/525,142 Group: 1631

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on 1/30/03 Donna Slonim

Date Signature

Annie Denirel

Typed or printed name of person signing certificate

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STATEMENT UNDER 37 C.F.R. § 1.48(a)(2) by Donna K. Slonim

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

I, Donna K. Slonim, 50 Craigie St., Apt. 27, Somerville, MA 02143, hereby state that I am a co-inventor with Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub of the subject matter claimed in the above-captioned application as filed. The error of omitting my name as a co-inventor occurred without deceptive intention on my part.

Name

Donna K. Slonim

Date

(c)P1\Desktop\Y:\ODMA\MI\ODMA\IMANAGE;359295;1  
MLW\AGG\cad  
12/02/01

PATENT APPLICATION  
Docket No.: 2825.1014-001



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Participants: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub  
 Application No.: 09/525,142 Group: 1631  
 Filed: March 14, 2000 Examiner: S. Zhou  
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WRITTEN CONSENT OF ASSIGNEE IN CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. § 1.48(a)(5)

Assistant Commissioner for Patents  
 P.O. Box 2327  
 Arlington, VA 22202

Sir:

Whitehead Institute for Biomedical Research, along with Dana-Farber Cancer Institute, Inc., are the assignees of the entire right, title and interest in the referenced patent application and Whitehead Institute for Biomedical Research does hereby consent to the addition of Donna K. Slonim as an inventor in the application.

A Statement under 37 C.F.R. § 3.73(b) is being filed concurrently with this Written Consent.

Respectfully submitted,

By Patricia Granahan  
 Patricia Granahan  
 Patent Counsel  
 Whitehead Institute of Biomedical Research

Cambridge, MA 02142

Date: January 8, 2003

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Applicants: Pablo Tamayo, Jill Mesirov, Eric S. Lander and Todd R. Golub

Application No.: 09/525,142 Filed: March 14, 2000

For: Methods and Apparatus for Analyzing Gene Expression Data

Whitehead Institute for Biomedical Research, a corporation,  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A.  the assignee of the entire right, title and interest in the patent application identified above; or
- B.  an assignee together with Dana Farber Cancer Institute, Inc. of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A.  An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel                 , Frame                 , or a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Pablo Tamayo, Jill Mesirov, and Eric S. Lander To: Whitehead Institute for Biomedical Research  
The document was recorded in the Patent and Trademark Office at  
Reel 011431, Frame 0815-0818, or a copy thereof is attached.
2. From: Todd R. Golub To: Dana-Farber Cancer Institute, Inc. and Whitehead Institute for Biomedical Research  
The document was recorded in the Patent and Trademark Office at  
Reel 011440, Frame 0460-0463, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

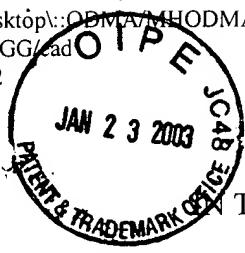
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: December 31, 2002

Name: Patricia Granahan

Title: Patent Counsel

Signature: Patricia Granahan



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pablo Tamayo, Jill P. Mesirow, Eric S. Lander and Todd R. Golub  
Application No.: 09/525,142 Group: 1631  
Filed: March 14, 2000 Examiner: S. Zhou  
Confirmation No.: 8330  
For: Methods and Apparatus for Analyzing Gene Expression Data

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on <u>1/20/03</u>	<u>Anne Demtröel</u>	Signature
Date	_____ Anne Demtröel	
Typed or printed name of person signing certificate		

WRITTEN CONSENT OF ASSIGNEE IN CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. §1.48(a)(5)

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Dana-Farber Cancer Institute, Inc., along with Whitehead Institute for Biomedical Research, are the assignees of the entire right, title and interest in the referenced patent application and Dana-Farber Cancer Institute, Inc. does hereby consent to the addition of Donna K. Slonim as an inventor in the application.

A Statement under 37 C.F.R. § 3.73(b) is being filed concurrently with this Written Consent.

Respectfully submitted,

By Pamela D. Ariniello  
Pamela D. Ariniello  
Patent Counsel  
Dana-Farber Cancer Institute, Inc.

Cambridge, MA 02142  
Date: 12/9/02

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JAN 27 2003

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Docket No. 2825.1014-001

STATEMENT UNDER 37 C.F.R. § 3.73(b)

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Applicants: Pablo Tamayo, Jill Mesirov, Eric S. Lander and Todd R. Golub

Application No.: 09/525,142 Filed: March 14, 2000

For: Methods and Apparatus for Analyzing Gene Expression Data

Dana-Farber Cancer Institute, Inc., a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A.  the assignee of the entire right, title and interest in the patent application identified above; or
- B.  an assignee together with Whitehead Institute of Biomedical Research of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A.  An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel           , Frame           , or a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Todd R. Golub To: Dana-Farber Cancer Institute, Inc and Whitehead Institute for Biomedical Research

The document was recorded in the Patent and Trademark Office at Reel 011440, Frame 0460-0463, or a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 12/9/02

Name: Pamela D. Ariniello

Title: Patent Counsel

Signature: Pamela D. Ariniello



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

## [ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Methods and Apparatus for Analyzing Gene Expression Data

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on March 14, 2000 as United States Application

Number or PCT International Application No. 09/525,142

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	NO
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Pablo Tamayo

Inventor's Signature 

Date 12/05/2002

Residence 195 Binney St., A4523

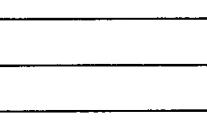
Cambridge, MA 02142

Citizenship USA

Mailing Address same as above

Full name of second joint

inventor, if any Jill P. Mesirov

Inventor's Signature 

Date

Residence 54 Hurd Road

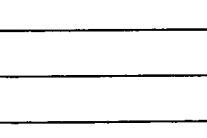
Belmont, MA 02478

Citizenship USA

Mailing Address same as above

Full name of third joint

inventor, if any Eric S. Lander

Inventor's Signature 

Date

Residence 74 R. Fayer Weather St.

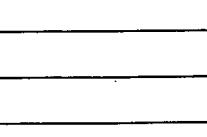
Cambridge, MA 02139

Citizenship USA

Mailing Address same as above

Full name of fourth joint

inventor, if any Todd R. Golub

Inventor's Signature 

Date

Residence 65 Waldorf Road

Newton, MA 02164

Citizenship USA

Mailing Address same as above

Full name of fifth joint

inventor, if any Donna K. Slonim

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 50 Craigie St., Apt. 27

Somerville, MA 02143

Citizenship USA

Mailing Address same as above

Full name of sixth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of seventh joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of eighth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of ninth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_



DOCKET NO. 2825.1014-001

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As a named inventor, I hereby declare that:

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Methods and Apparatus for Analyzing Gene Expression Data

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on March 14, 2000 as United States Application

Number or PCT International Application No. 09/525,142

and was amended on \_\_\_\_\_ (if applicable).

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I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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(Number) _____ (Country) _____ (Day/Month/Year filed) _____	[ ]	[ ] [ ]
(Number) _____ (Country) _____ (Day/Month/Year filed) _____	[ ]	[ ] [ ]
(Number) _____ (Country) _____ (Day/Month/Year filed) _____	[ ]	[ ] [ ]

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Full name of sole

or first inventor Pablo Tamayo

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 195 Binney St., A4523

Cambridge, MA 02142

Citizenship USA

Mailing Address same as above

Full name of second joint

inventor, if any Jill P. Mesirov

Inventor's Signature Jill P. Mesirov

Date 12/5/02

Residence 54 Hurd Road

Belmont, MA 02478

Citizenship USA

Mailing Address same as above

Full name of third joint

inventor, if any Eric S. Lander

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 74 R. Fayer Weather St.

Cambridge, MA 02139

Citizenship USA

Mailing Address same as above

Full name of fourth joint

inventor, if any Todd R. Golub

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 65 Waldorf Road

Newton, MA 02164

Citizenship USA

Mailing Address same as above

Full name of fifth joint

inventor, if any Donna K. Slonim

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 50 Craigie St., Apt. 27

Somerville, MA 02143

Citizenship USA

Mailing Address same as above

Full name of sixth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of seventh joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of eighth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of ninth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

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(Number) _____ (Country) _____ (Day/Month/Year filed) _____ [ ] [ ] [ ]		

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2000

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or first inventor Pablo Tamayo

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Cambridge, MA 02142

Citizenship USA

Mailing Address same as above

Full name of second joint

inventor, if any Jill P. Mesirov

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 54 Hurd Road

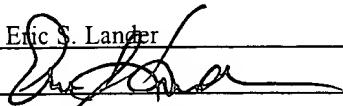
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Mailing Address same as above

Full name of third joint

inventor, if any Eric S. Lander

Inventor's Signature  Date \_\_\_\_\_

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inventor, if any Todd R. Golub

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Newton, MA 02164

Citizenship USA

Mailing Address same as above

Full name of fifth joint

inventor, if any Donna K. Slonim

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Somerville, MA 02143

Citizenship USA

Mailing Address same as above

Full name of sixth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of seventh joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of eighth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of ninth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_



DOCKET NO. 2825.1014-001

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## Declaration for Patent Application

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Methods and Apparatus for Analyzing Gene Expression Data

the specification of which (check one)

- [ ] is attached hereto.  
[X] was filed on March 14, 2000 as United States Application  
Number or PCT International Application No. 09/525,142  
and was amended on \_\_\_\_\_ (if applicable).

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I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

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(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ]	[ ]	[ ]

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JAN 27 2003  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor, if any Donna K. Slonim

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Full name of sixth joint

Inventor, if any

Date

Inventor's Signature

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Full name of seventh joint

Inventor, if any

Date

Inventor's Signature

Residence

Citizenship

Mailing Address

Full name of eighth joint

Inventor, if any

Date

Inventor's Signature

Residence

Citizenship

Mailing Address

Full name of ninth joint

Inventor, if any

Date

Inventor's Signature

Residence

Citizenship

Mailing Address



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[ ] Supplemental (37 C.F.R. §1.67)

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As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Methods and Apparatus for Analyzing Gene Expression Data

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on March 14, 2000 as United States Application

Number or PCT International Application No. 09/525,142

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Not Claimed</u>	<u>Certified Copy Filed?</u>
<u>YES</u>	<u>NO</u>			
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of seventh joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of eighth joint

inventor, if any \_\_\_\_\_

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Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_

Full name of ninth joint

inventor, if any \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Mailing Address \_\_\_\_\_